

Remarks

This Reply is in response to the Office Action mailed May 27, 2009.

I. Summary of Examiner's Objections and/or Rejections

Prior to the Office Action mailed May 27, 2009, Claims 1-8 and 10-15 were pending. In the Office Action, Claims 1-8 and 10-15 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1, 10, and 11 were rejected under 35 U.S.C. 112 as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention. Claims 1-4 and 12-14 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,870,828 to Giordano, III (hereinafter Giordano). Claims 5-8 and 10-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view of (<http://www.hpl.hp.com/techreports/2000/HPL-2000-16-pdf>) by Kindberg et al. (hereinafter Kindberg).

II. Summary of Applicants' Amendments

The present Rely amends Claims 1, 4, 6, 8, 10, and 11, all as shown above. Applicants respectfully reserve the right to prosecute any originally presented or canceled claims in a continuing or future application.

III. Claim Rejections under 35 U.S.C. §101

Claims 1-8 and 10-15 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1, 4, 6, 8, 10 and 11 were all amended to overcome this rejection. Namely, the conditional language in the claims were removed and the independent claims, as amended, explicitly indicate that the method steps are done by at least one processor. Accordingly, reconsideration of this rejection is respectfully requested.

IV. Claim Rejections under 35 U.S.C. §112

Claims 1, 10, and 11 were rejected under 35 U.S.C. 112 as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention. Claims 1, 10, and 11 have all been amended in the manner suggested by the Examiner. Accordingly, reconsideration of this rejection is respectfully requested.

V. Claim Rejections under 35 U.S.C. § 102(e)

Claims 1-4 and 12-14 were rejected under 35 U.S.C. 102(e) as being anticipated by Giordano.

Claim 1

Claim 1 has been amended by the current Reply to more clearly define the embodiment therein. As amended, Claim 1 defines:

1. (Currently Amended) A method for providing dynamic data detection from Web content information for a mobile device comprising the steps of:
 - receiving a URL from a user;
 - accessing a Web page identified by the URL;
 - parsing the currently accessed Web page dynamically in real time to identify one or more non-hyperlink Web content data items in the Web page, wherein each of the one or more Web content data items comprises text in the Web page, wherein the text is contact information for one of a person and an entity;
 - creating one or more link indications that correspond to the one or more non-hyperlink Web content data items;
 - displaying to the mobile device the one or more link indications for selection by a user, each link indication providing a link to a service through a wireless connection from the mobile device, and each service performing a service related to a type of contact information of the Web content data item, for the Web content data item corresponding to the link indication;
 - displaying to the mobile device a standard list of services that are performed by the user independent of the services associated with the one or more link indications; and
 - wherein the method steps are done by at least one processor.

Applicants' invention embodied in Claim 1 is not anticipated by Giordano, among other things, for the following reasons.

As amended, Claim 1 includes the limitation of "displaying to the mobile device a standard list of services that are performed by the user independent of the services associated with the one or more link indications." Giordano, which generally deals with identifying and iconifying telephone numbers obtained from a web page, does not anticipate this limitation. Accordingly, it is respectfully submitted that Applicants' method embodied in Claim 1 is not anticipated by, or obvious in light of the cited prior art and reconsideration is respectfully considered.

Claims 2-4 and 12-14

Dependent Claims 2-4 and 12-14 are not addressed separately but it is respectfully

submitted that those claims are allowable as depending from an allowable independent claim and further in view of the comments provided above. Applicants respectfully submit that these Claims are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims add their own limitations that render them patentable in their own right. Applicants respectfully reserve the rights to argue these limitations should it become necessary in the future.

VI. Claim Rejections under 35 U.S.C. § 103(a)

Claims 5-8 and 10-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view of Kindberg.

Claim 10

It is respectfully submitted that Kindberg is not an appropriate prior art reference upon which the 103(a) rejection can be based. It is well settled that the burden of establishing a prima facie case of anticipation resides with the Patent and Trademark Office. *In re Skinner*, 2 USPQ2d 1788, 1788-89 (B.P.A.I. 1986). Further, a reference is a "printed publication" if it is accessible to the public. See MPEP 2128. "Prior art disclosures on the Internet or on an on-line database are considered to be publicly available as of the date the item was publicly posted. Absent evidence of the date that the disclosure was *publicly posted*, if the publication itself does not include a publication date (or retrieval date, *it cannot be relied upon* as prior art under 35 U.S.C. 102(a) or (b)." See MPEP 2128 ("emphasis added").

In the Office Action, the Kindberg article was cited as being a prior art publication with a publication date of February 2000. The Kindberg article does not itself include any reference to any publication date. The cover page accompanying the Kindberg article does reference a February 2000 date, however, the cover page also indicates that the date is the "Internal Accession Date Only." See Exhibit A, Title Page for People, Places, Things: Web Presence for the Real World. Thus, the publication, as expressly stated therein, was *not publicly* available as of February 2000. Given the lack of evidence relating to the date that the Kindberg was made publicly available, it cannot be relied upon as prior art. Accordingly, reconsideration of this rejection is respectfully requested.

Even assuming, *arguendo*, that the Kindberg is a valid prior art publication, Kindberg still does not disclose the invention embodied in Claim 10. Kindberg generally describes a system

whereby people can be connected to each other in the real-world through the use of technology. In this system, portable devices can provide a means for people to interact with location-specific web portals reflecting the real-world place they are in. For example, if a person with a visits a landmark, that person's PDA can electronically pick up URLs for pages about that landmark from the physical web portal. The PDA can also transmit information about the location to the user's personal web page. The URLs are targeted at physical places and are distributed within them through wireless broadcasts of restricted range. A second person can then visit the first person's web site to try and communicate with the first person. See Kindberg, Section 2.1.

The system of maintaining a "web-presence," as described in Kindberg, is unrelated with the invention embodied in Claim 10 where, among other things, a web page is parsed to identify one or more Web content data items in the Web page. In other words, in Kindberg, information is simply provided to a user based on another person's real-world location. The information is not then parsed to identify one or more Web content data. Accordingly, it is respectfully submitted that Applicants' method embodied in Claim 10 is not anticipated by, or obvious in light of the cited prior art and reconsideration is respectfully considered.

Claim 11

The comments provided for Claim 10 above are incorporated by reference herein and generally apply to Claim 11 as well. Accordingly, Applicants respectfully submit that Claim 11 is likewise not anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 5-8

Dependent Claims 5-8 are not addressed separately but it is respectfully submitted that those claims are allowable as depending from an allowable independent claim and further in view of the comments provided above. Applicants respectfully submit that these Claims are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims add their own limitations that render them patentable in their own right. Applicants respectfully reserve the rights to argue these limitations should it become necessary in the future.

VII. Conclusion

In view of the above amendments and remarks set forth above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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People, Places, Things: Web Presence for the Real World

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World Wide
Web,
Web presence,
people, places,
things,
location-aware
computing,
smart
environments,
ubiquitous
computing

The convergence of Web technology, wireless networks and portable client devices provide new opportunities for computer communications systems designs. At HP Labs we have been exploring these opportunities through an infrastructure to support "web presence" for people, places and things. Our goal is a bridge between the World Wide Web and the physical world we inhabit. This bridge includes the ability to interact with devices such as printers from a browser using standard HTTP communication. It also includes the ability to provide people, places and things – electronic or otherwise – with a web resource that is used to store information about them and which is automatically correlated with their physical presence. We aim to provide users, particularly mobile users, with support for their everyday activities, which mostly concern physical objects other than PC's.

In this paper we characterize the functionality that we formulate as web presence for people, places, and things. We describe our infrastructure for web presence, and applications that demonstrate the infrastructure's viability.

Internal Accession Date Only

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